

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTIETH LEGISLATURE

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**FORTY-FOURTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 24, 2009**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Winder, absent and formally excused by the Chair; and Senators Corder, Hill, and Schroeder, absent and excused.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Michele Jenkins, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Corder was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 24, 2009

The JUDICIARY AND RULES Committee reports that [S 1123](#), [S 1124](#), [S 1125](#), and [S 1126](#) have been correctly printed.

DARRINGTON, Chairman

[S 1123](#) was referred to the State Affairs Committee.

[S 1124](#) and [S 1125](#) were referred to the Resources and Environment Committee.

[S 1126](#) was referred to the Commerce and Human Resources Committee.

February 23, 2009

The JUDICIARY AND RULES Committee reports that Enrolled [S 1009](#) was delivered to the Office of the Governor at 1:30 p.m., February 23, 2009.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 23, 2009

The JUDICIARY AND RULES Committee reports that [S 1056](#), as amended, [S 1060](#), as amended, [S 1059](#), as amended, [S 1017](#), as amended, and [S 1074](#), as amended, have been correctly engrossed.

DARRINGTON, Chairman

[S 1056](#), as amended, [S 1060](#), as amended, [S 1059](#), as amended, [S 1017](#), as amended, and [S 1074](#), as amended, were filed for first reading.

February 23, 2009

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1056](#), [S 1060](#), [S 1059](#), [S 1017](#), [H 31](#), and [S 1074](#) have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 23, 2009

The JUDICIARY AND RULES Committee reports out [S 1106](#) with the recommendation that it do pass.

DARRINGTON, Chairman

[S 1106](#) was filed for second reading.

February 23, 2009

The HEALTH AND WELFARE Committee reports out [S 1111](#), [S 1113](#), [S 1117](#), and [H 45](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1111](#), [S 1113](#), [S 1117](#), and [H 45](#) were filed for second reading.

February 24, 2009

The AGRICULTURAL AFFAIRS Committee reports out [H 33](#), [H 35](#), [H 36](#), and [H 37](#) with the recommendation that they do pass.

CORDER, Chairman

[H 33](#), [H 35](#), [H 36](#), and [H 37](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

Senator Schroeder was recorded present at this order of business.

February 23, 2009

Dear Mr. President:

I transmit herewith [HCR 20](#), [H 137](#), [HCR 11](#), [H 79](#), [H 143](#), [H 102](#), [H 99](#), [H 100](#), [H 132](#), and [H 152](#), which have passed the House.

ALEXANDER, Chief Clerk

[HCR 20](#), [H 137](#), [HCR 11](#), [H 79](#), [H 143](#), [H 102](#), [H 99](#), [H 100](#), [H 132](#), and [H 152](#) were filed for first reading.

February 23, 2009

Dear Mr. President:

I return herewith [S 1012](#) and [S 1019](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1012](#) and [S 1019](#) were referred to the Judiciary and Rules Committee for enrolling.

February 23, 2009

Dear Mr. President:

I transmit herewith Enrolled [HCR 10](#) and [H 80](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [HCR 10](#) and [H 80](#) and ordered them returned to the House.

February 23, 2009

Dear Mr. President:

I return herewith Enrolled [S 1044](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1044](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President Pro Tempore announced that the Agricultural Affairs Committee report relative to the Gubernatorial

appointment of Dwight Horsch was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Acting Senator Sagness, seconded by Senator Corder, the Gubernatorial appointment of Dwight Horsch as a member of the State Soil Conservation Commission was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Hill was recorded present at this order of business.

#### S 1127

#### BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO THE IDAHO RURAL HEALTH CARE ACCESS PROGRAM; AMENDING SECTION 39-5903, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 39-5905, IDAHO CODE, TO REVISE AN UNUSED GRANT FUND RETURN DATE; AND AMENDING SECTION 39-5909, IDAHO CODE, TO REVISE THE GRANT PROCESS SCHEDULE.

[S 1127](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 31](#), as amended in the Senate, by Resources and Conservation Committee, was introduced, read the first time at length and filed for second reading.

[S 1056](#), as amended, by Judiciary and Rules Committee, was introduced, read the first time at length and filed for second reading.

[S 1060](#), as amended, by Education Committee, was introduced, read the first time at length and filed for second reading.

[S 1059](#), as amended, by State Affairs Committee, was introduced, read the first time at length and filed for second reading.

[S 1017](#), as amended, and [S 1074](#), as amended, by Education Committee, were introduced, read the first time at length and filed for second reading.

[HCR 20](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 137](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HCR 11](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 79](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 143](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 102](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 99](#) and [H 100](#), by Agricultural Affairs Committee, were introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 132](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 152](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[S 1100](#), by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### **Third Reading of Bills**

On request by Senator Hill, granted by unanimous consent, [H 64](#), having been held, was referred to the Fourteenth Order of Business, General Calendar.

Senator Winder was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

#### **Second Reading of Bills**

On request by Senator Fulcher, granted by unanimous consent, [S 1017](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 10:30 a.m., Wednesday, February 25, 2009.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary